

February 21, 2005
Regular Session

Minutes

Members present

D.C. Swaim- Chairman
Brady Wooten- Vice- Chairman
Kim Clark Phillips- Commissioner
Allen Sneed- Commissioner

Members Absent

Leon Casstevens- Commissioner

Others Present

Cecil E. Wood- County Manager
James Graham- County Attorney
Melinda Vestal-Clerk to the Board

Chairman Swaim called the meeting to order and had the invocation. Jason Bolin, a student at Yadkin Success Academy, led the pledge of allegiance. Mr. Bolin thanked the staff at the Academy for giving him a second chance. He also thanked Mr. Brown, principal, for asking him to lead the pledge. Mr. Brown stated he was very proud of Jason's accomplishments with the Academy.

Public Hearing- zoning

Chairman Swaim opened the public hearing.

Kim Bates, Zoning Supervisor, presented a zoning amendment for the Elkin Municipal Airport. The amendment is to establish an overlay district adding height and lighting restrictions to the immediate area around the airport.

Mr. Bates presented a zoning amendment for Jerry Bryant. Mr. Bryant wants to rezone property located on Blake Drive. The property is currently zoned rural agriculture and the request is to rezone the property residential restricted. The Planning Board denied the petition. This is the second time Mr. Bryant has made the request; was approved by the Planning Board the first time; denied by the Board of Commissioners.

Elisa Willard spoke in favor of the rezoning.

Jerry Lunsford spoke in favor of the rezoning.

Richard Taylor, Center Road, spoke in favor of the rezoning.

Sharon Willard stated she is for the rezoning.

Dot Overcash spoke in favor of the rezoning.

W.L. Eckard, Bryant Road, discussed the increase in traffic and commented this road is a major thoroughfare for students at Starmount High School.

Barry Overcash stated he supports the rezoning.

Chris Childress spoke against the rezoning. He asked those in the audience who were against the rezoning to stand; several people stood. He presented the Board with a petition with signatures of those against the rezoning.

Ann Bryant, Jerry Bryant's Mother, informed the Board that Starmount High School was built on Bryant land and when the school was built traffic increased. She stated Mr. Bryant wants to build the homes to help bring growth to the county.

Delmar Simmons, adjoining property owner, inquired about the restrictions for the homes and the issue of water. He is against the rezoning.

Frank Zachary, Attorney for Mr. Bryant, stated this is the second petition to rezone the property. He commented farming in the county is not what it was fifty years ago. The proposed homes will help generate revenue for the county. The number of units is undecided at this time; construction will be done in phases. The petition should not be denied unless unbearing effects can be determined.

John Iannotte, Center Road, commented with the current zoning Mr. Bryant could build ten new homes, but with the change he could possibly build fifty new homes, would that be correct?

Mr. Wood stated the current zoning would allow the property to be divided into three lots of at least 30,000 square feet which would allow up to three manufactured homes.

Eddie Bryant, adjoining property owner, stated he is against the rezoning due to increased traffic and water issues.

Billy Jenkins, Ashley Acres, stated with the current zoning Mr. Bryant could place at least forty mobile homes on the property with little restrictions. He would rather see a community like Ashley Acres; doublewides and modulares.

James Finney stated there are regulations for water and sewer so therefore Mr. Bryant can only do what these regulations allow. He suggested the Board make an informed decision.

W.L. Eckard, Bryant Road, stated he is concerned with the number of homes that could be built; is there not a happy medium.

Mr. Wood stated its one way or the other; no other choices.

Jerry Bryant, petitioner, thanked the Board of Commissioners for their time and efforts in coming to the site and looking at the model home. He stated the houses will be at least 1,200 square feet with a starting price of \$150,000. The houses will be stick built with restrictions. He stated at one time he farmed the land but with the tobacco buyout it's no longer feasible. He would be willing to divide the land and sell it in tracts, but the community would not have any control of what could be built on the property. He is requesting the highest zoning for the property with the most restrictions. He requested the Board do what is best for the county.

Herman Burchman, adjoining property owner, stated he built his house in 1950 for \$10,000 and it now appraises at \$60,000. Yadkin County cannot afford cheap housing. He commented when the last two houses were built on Bryant Road, there were no complaints and he does not think there will be complaints when these houses are built. He stated he would never go out of his community and tell another man what to do with his property. He asked the Board to do what is best for Yadkin County.

Ronnie Childress questioned the division of the property by a single owner.

John Iannotte discussed the water issue for the area.

Chairman Swaim closed the public hearing.

Commissioner Sneed stated he met with Mr. Bryant and looked at the proposed homes. He stated he also spoke with neighbors in the area. He pointed out the traffic will be the same if houses are built or trailers are put on the property, also both types will need water and sewer. Commissioner Sneed stated he has listed the pros and cons for each. He wants to make the best decision for Yadkin County.

Commissioner Wooten commented on the request by Mr. Bryant. He stated the traffic and water /sewer issues will be the same for both types of homes. Commissioner Wooten stated the taxes from the homes would generate approximately \$45,000 per year as opposed to \$4,500 from the same amount of mobile homes. He discussed other areas/services that would be impacted by the additional housing.

Commissioner Phillips stated if the property is not rezoned the community would not be protected. She suggested the petition be sent back to the Planning Board.

***Commissioner Phillips made the motion to send the petition back to the Planning Board. Commissioner Wooten seconded. The Board voted 4-0.**

The Board inquired when the Planning Board would meet again.

Mr. Bates stated the Planning Board meets February 28th.

***Commissioner Sneed made the motion to approve the zoning amendment for the Elkin Airport. Commissioner Phillips seconded. The Board voted 4-0.**

Public comments

Alice Singh, Humane Society President, reported to the Board about Animal Shelter Boards in other counties.

Dianne Doub, East Bend, inquired about a completion date for the new animal shelter.

Rebel Good, Editor of The Ripple, complimented Commissioner Wooten and Commissioner Sneed on their presentation of information relating to the rezoning request. Mr. Good discussed a bill proposed by Senator Brock; House Bill 104. He would like the Board to send a resolution opposing HB 104 because of his concern involving the inability of the Bill to recognize the difference between alcohol levels generated by drinking as opposed to medications and the detrimental effect the Bill will have on our viticulture industry and tourism in general.

Jimmy Steelman, Hamptonville, discussed the zoning ordinance.

Minutes

***Commissioner Wooten made the motion to approve the regular and closed session minutes with changes. Commissioner Sneed seconded. The Board voted 4-0.**

Adult Care Nursing Homes Committee – board appointment

***Commissioner Sneed made the motion to appoint Ed Lakey to the Yadkin County Nursing-Adult Care Homes Community Advisory Committee. Commissioner Phillips seconded. The Board voted 4-0.**

Social Services- budget amendments

February 3, 2005

Revenues

Description	Account Number	Original Budget	Increase/(Decrease)	Amend
Crisis	3532 1700	29,892	8,693	38,585
Adoption Vendor	3532 1600	35,351	20,000	55,351
Title XIX Transp.	3532 2700	101,717	50,000	151,717
Smart Start	3550 0400	76,708	84,458	161,166
Total		243,668	163,151	406,819

Expenditures

Description	Account	Original	Increase/	Amend
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	Number	Budget	(Decrease)	
Foster Home Recruit.	5320 4000	-0-	500	500
Crisis	5320 5481	29,892	8,693	38,585
Adoption Vendor	5300 4520	47,134	20,000	67,134
Medicaid County Portion	5400 0700	2,100,964	(15,417)	2,085,547
NAS County Portion	5400	14,267	15,417	29,684
Title XIX Transp.	5320 5387	120,000	50,000	170,000
Contracted Services	5300 3900	6,000	1,000	7,000
Miscellaneous Exp.	5300 4912	2,000	8,500	10,500
R & M Exp.	5300 3500	5,500	10,000	15,500
Work First-Emergency Assist.	5320 1610	33,000	16,000	49,000
Work First – Transp.	5320 1010	7,000	(2,000)	5,000
Work First – Participation	5320 1410	15,000	(5,000)	10,000
Psychological Services IV-B	5320 5340	30,000	1,000	31,000
Smart Start – Daycare	5320 5489	46,708	54,458	101,166
Total		2,457,465	163,151	2,620,616

**Yadkin County Group Home
Budget Amendments
February 3, 2005**

Description	Account Number	Original Budget	Increase/(Decrease)	Amend
R & M Expense	5230 3510	9,000	1,500	10,500
Capital Outlay	5230 5500	1,500	(1,500)	-0-
Total		10,500	-0-	10,500

***Commissioner Wooten made the motion to approve the budget amendment. Commissioner Phillips seconded. The Board voted 4-0.**

Juvenile Crime Prevention Council- board appointments

***Commissioner Phillips made the motion to appoint Nicole Hege and Commissioner Wooten to the Juvenile Crime Prevention Council. Commissioner Sneed seconded. The Board voted 4-0.**

Workforce Development Board- appointment

***Commissioner Sneed made the motion to reappoint Trent Cockerham to the Workforce Development Board. Commissioner Wooten seconded. The Board voted 4-0.**

Health Department- budget amendment

Description	Account Number	Original Budget	Increase/(Decrease)	Amended Budget
BCCCP/WW				
Revenue				
*DHHS	3515.3201	17,385	13,000	30,385
Expenditure				
Contract Services	5151.1990	6,003	13,000	19,003

*Additional state funds to provide screening and diagnostic services on eligible women identified and referred by the Health Department. Additional funds received because the Health Department has performed over and beyond what was currently provided by the state.

Description	Account Number	Original Budget	Increase/(Decrease)	Amended Budget
Tuberculosis				
Revenue				
**DHHS	3512.3300	1,642	420	2,062
Expenditure				
Supplies	5121.2600	-0-	420	420

**Additional state funds to support operating expenses in the Tuberculosis Control Program.

RECOMMENDATION: Health Director recommends approval of the budget amendment. Board of Health approved on 02-15-05.

***Commissioner Wooten made the motion to approve the budget amendment. Commissioner Sneed seconded. The Board voted 4-0.**

Tax Administration- refunds and adjustments

Name/reason	Year	County tax	Fire tax/code	Interest	Total
Davis Wooten 4633 Forbush Rd East Bend NC 27018 mh belongs to son	2004	116.19	8.64	\$9.72	\$134.45

***Commissioner Wooten made the motion to approve the tax adjustments and refunds. Commissioner Phillips seconded. The Board voted 4-0.**

Commissioner comments

Commissioner Sneed requested a work session with EMS.

The Board set a work session for March 1st at 6:30 p.m.

Commissioner Wooten requested to add the comp/sick time to the work session on March 1st.

Commissioner Phillips discussed the reval process. She suggested using the property value increases for water, economic development and schools. She inquired about the properties discussed at the last meeting and what action had been taken; violation of the junkyard ordinance.

Attorney Graham explained the process for violating an ordinance.

Commissioner Phillips requested to proceed with sending letters to these property owners.

Commissioner Wooten inquired about speeding up this process.

Commissioner Phillips stated we need to make sure people abide by the ordinances we have in place for the county. She discussed HB 104 stating the Bill has no flexibility even though it is well intended. ***Commissioner Phillips made the motion to send the resolution opposing HB104. Chairman Swaim seconded the motion. He asked Commissioner Phillips if she would amend the motion to add another line to the resolution stating the Bill is too restrictive. The Board voted 3-0. Commissioner Sneed asked to be excused from the vote because he is related to Senator Brock. The vote counts 4-0.**

YADKIN COUNTY COMMISSIONERS
RESOLUTION OPPOSING SENTATE BILL 104

WHEREAS, Yadkin County is blessed with a rapidly growing viticulture industry encompassing a growing number of vineyards and wineries; and

WHEREAS, said viticulture industry is responsible for increasing travel and tourism in Yadkin County; and

WHEREAS, Yadkin County wishes to encourage travel and tourism, particularly by families, to our community; and

WHEREAS, Senate Bill 104 would discourage travel and tourism by families to Yadkin County; and

WHEREAS, Senate Bill 104 would directly lead to declining sales by Yadkin County's viticulture industry; and

WHEREAS, the Yadkin County Chamber of Commerce seeks to "Foster an environment to promote Yadkin Valley Viticulture Region"; and

WHEREAS the Yadkin County Board of Commissioners, in reviewing the practical application of the Bill, have resolved that a strict enforcement of the Bill would be too restrictive and therefore;

BE IT RESOLVED that the Yadkin County Board of Commissioners opposes the passage of Senate Bill 104.

Dated this the 21st day of February 2005.

s/D.C. Swaim, Chairman

s/Brady Wooten, Vice-Chairman

Chairman Swaim read a letter from Sam Erby announcing his retirement.

***Commissioner Sneed made a motion to send a letter of appreciation to Mr. Erby thanking him for all of his efforts in assisting Yadkin County. Commissioner Wooten seconded. The Board voted 4-0.**

Manager comments

Mr. Wood stated that YVEDDI has agreed to takeover the commodities program. The program was operated by DSS. He requested the Board allow him to send a letter to YVEDDI authorizing the transfer of the program.

***Commissioner Phillips made the motion to send a letter authorizing the transfer of the commodities program to YVEDDI. Commissioner Sneed seconded. The Board voted 4-0.**

It was the consensus of the Board to move the first Monday meeting, March 7th to Wednesday, March 9th due to the Board being in Washington.

Mr. Wood reminded the Board of the other meetings they have scheduled:

Reval - February 24th at 4:00

Work Session- water/sewer and budget- February 28th at 6:30 p.m.

Work Session- EMS- March 1st at 6:30

Commissioners' meeting- March 9th at 9:00 a.m.

Water plant visit- March 10th at 3:30

Mr. Wood informed the Board about the NC Litter Sweep scheduled for April 16-30.

Mr. Wood read a letter from Phil Martin, Parks and Recreation Director, announcing his retirement. Mr. Wood requested permission to advertise the position.

***Commissioner Wooten made the motion to advertise for a Parks & Recreation Director. Commissioner Sneed seconded. The Board voted 4-0.**

Mr. Wood discussed the house on Caudle Mill Road. He requested to advertise the home is for sale and to accept sealed bids.

***Commissioner Sneed made the motion to advertise the home on Caudle Mill Road. He also added that he would like families with children to have first preference. Commissioner Wooten seconded. The Board voted 4-0.**

Closed Session

***Commissioner Wooten made the motion to go in closed session per G.S. 143.318-11(a)(3). Commissioner Sneed seconded. The Board voted 4-0.**

***Commissioner Wooten made the motion to come out of closed session. Commissioner Sneed seconded. The Board voted 4-0.**

Recess

***Commissioner Wooten made the motion to recess the meeting until February 24th at 4:00 to meet with Phyllis Adams. Commissioner Sneed seconded. The Board voted 4-0.**